

REMARKS

Applicants have added claims 44-51. Support for the new claims can be found, among other places, in figures 1, 13A, 22A, 23, 27 and 28 and paragraphs [0144]-[0146], [0172], [0196], [0198] and [0209] of the originally filed application. No new matter is added.

The Examiner has asserted that there are two distinct inventions in the present application and required restriction to one of those inventions, as follows:

Group I: Claims 9, 11-20, 27, 28* and 31-36, drawn to a "connector pair;" and

Group II: Claims 21-26 drawn to a "connector pair with a sleeve."

In response to the restriction requirement, Applicants hereby provisionally elect with traverse the claims of Group I (claims 9, 11-20, 27, 28 and 31-36).

Applicants remind the Examiner that "[i]f the search and examination of all the claims in an application can be made without serious burden, the examiner must examine them on the merits, even though they include claims to [allegedly] independent or distinct inventions." MPEP 803 (emphasis added).

Applicants assert that a search of the subject matter of both Groups I and II would not present an undue burden on the Office, at least because most of the subject matter of the claims of Groups I and II have already been searched and examined together, apparently without any undue burden on the Office. Applicants respectfully remind the Examiner that multiple Office Actions on the merits have already issued on March 29, 2006, September 12, 2006 and March 29, 2007. While Applicants have presented minor clarifying amendments in the claims, through the Response to Office Action filed September 28, 2007, the subject matter otherwise present in the claims has already been searched by the Office, and applicants respectfully submit that any subsequent examination of the minor additional clarifying language added in the most recent amendment would not be unduly burdensome. Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding restriction requirement.

* In the Restriction Requirement, the Examiner indicated that Group I included claims 9, 11-20, 27, 27 and 31-36. Given that claim 28 is not included in either Group I or Group II, Applicants have interpreted the second "27" as a typographical error that the Examiner intended to be "28."

The Examiner has also asserted that there are multiple patentably distinct species in the present application and has required election of one of those species, as follows:

- A: Fig. 23
- B: Fig. 24
- C: Fig. 25
- D: Fig. 26
- E: Fig. 27
- F: Fig. 28
- G: Fig. 29
- H: Fig. 30
- I: Fig. 31
- J: Fig. 32.

Applicants hereby provisionally elect with traverse Species E, for search purposes only. Previously pending claims 9, 11 and 13 and new claims 44-51 read on the provisionally elected species.

Applicants respectfully submit that this election requirement is improper in this case. Contrary to the Examiner's interpretation, 35 USC 121 does not "require" that an election be made, but rather provides that it "may" be made. However, as set forth above, this application has already been searched and examined several times without a required election of species -- evidently without any undue burden on the Office. The amendments presented in the September 28, 2007 Response did not alter the scope of the claims in a way that would materially change this fact. As such, Applicants submit that continued examination of all claims would place no undue burden on the Office. For at least these reasons, applicants traverse the requirement for an election of species.

The Examiner has indicated that none of the previously pending claims are generic. Applicants respectfully disagree and submit that a number of claims are generic to at least two of the alleged species. In the event that a generic claim is allowed, Applicants expect that claims reading on the related species will be rejoined.

* In the Restriction Requirement, the Examiner indicated that Group I included claims 9, 11-20, 27, 27 and 31-36. Given that claim 28 is not included in either Group I or Group II, Applicants have interpreted the second "27" as a typographical error that the Examiner intended to be "28."


Reply dated May 19, 2008
In Reply to Restriction Requirement of March 17, 2008

Application No.: 10/642,365
Docket No.: MIY-P03-024

Applicants submit herewith a Fee Transmittal and a Petition for Extension of Time. If any additional fees are due in connection with this response, please charge our Deposit Account No. 18-1945 from which the undersigned is authorized to draw.

Dated: May 19, 2008

Respectfully submitted,

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